King's Bench Prison. 1006

t.

THE

DEBTOR AND CREDITOR'S ASSISTANT;

OR,

A Key to the King's Bench AND Fleet-Prisons:

CALCULATED

FOR THE INFORMATION AND BENEFIT

OF

THE INJURED CREDITOR,

AS WELL AS

THE UNFORTUNATE DEBTOR:

INCLUDING

NEWGATE, LUDGATE,

AND

THE THREE COMPTERS.

TO WHICH ARE ADDED,

Reflections on perpetual IMPRISONMENT for DEBT;

AND

Outlines of a Bill for abolishing the same,

&c. &c.

A Brother's sufferings claim a Brother's pity.

ADDISON.

LONDON:

PRINTED FOR G. RILEY, No. 33, LUDGATE-STREET.

M,DCC,XCIII.

[Entered at Stationers Hall.]

EK

MVSEVM
BRITAN
NICVM

PREFACE.

THE aim of the Author in the following ſheets, is to give an account of the King's Bench and Fleet Priſons, as far as concerns their government, and reſpective accommodations with regard to priſoners, of which the greateſt part of the public have yet but a very imperfect idea; and if, in gratifying the curioſity, he ſhould be thought to convey any uſeful information, the object of his purpoſe will be fully obtained.

After this explanation, it is hardly neceſſary to add, that thoſe who look for *invective* or *abuſe*, will be diſappointed in their views. The

Author has not to learn, that throughout the univerſe there are no places that abound ſo much with *character* and *anecdote*, as the Priſons of the King's Bench, and the Fleet. His preſent object, however, is entirely unmixed with any *perſonalities* whatever, and his gratification will be perfectly complete, if he ſhould be the means of preventing inſolvent debtors from being thrown into priſon, when it can only tend to fix unthinking creditors with an enormous load of coſts, or be found in his reflections on perpetual impriſonment for debt, to offer a ſingle word that may conduce, in the ſmalleſt degree, towards the abolition of a practice, ſo impolitic itſelf, and ſo deſtructive in its effects.

THE

DEBTOR AND CREDITOR's

ASSISTANT,

&c. &c.

THE priſon of his Majeſty's Court of King's Bench is ſituated in St. George's Fields, near the Stone's End, in the Borough of Southwark, and that of the Common Pleas, in Fleet Market, near the bottom of Ludgate Hill. The former is governed by a Marſhal, and the latter by a Warden, who are appointed by the Lord Chief Juſtices of the reſpective courts.

The King's Bench and Fleet Priſon were rebuilt upon their being deſtroyed, with other public places, during the general riots in the year 1780.

The King's Bench Priſon is by far the moſt airy and commodious. It conſiſts of one regular building, 100 yards in length, with wings at each end of it, and a ſpacious parade, the whole being encloſed by a ſtout thick wall, 25 feet high. It is divided into ſixteen different ſtaircaſes, containing from eight to thirty rooms, the general dimenſions of which are 11 feet by 15. Thoſe in the third, or upper ſtories, are naturally preferred, on account of their commanding a proſpect over the walls, and a pleaſing view of the Surry and Kentiſh hills.

A build-

A building called the State Houſe, ſtands apart from the reſt of the priſon, near the gate, the inſide of it, and is divided into eight large handſome rooms.

Adjoining to the priſon are three very good houſes, one belonging to the Marſhal, one to the Clerk of the papers, and one to the deputy Marſhall. There are alſo ſome rooms over the lobby, which are occaſionally let out to priſoners who can afford to pay for them.

On the common ſide, or back of the priſon, there are ſeveral ſtair-caſes, the windows to the lower rooms of which have ſtrong iron bars, beſides being ſecured by ſeveral parallel partitions, or encloſures, at a ſmall diſtance from each other, run acroſs from the building to the wall, fortified with iron ſpikes, and

a ſtout *chevaux de friſe*, intended for the confinement of priſoners of a particular deſcription.

Almoſt every thing the priſoners ſtand in need of, is ſupplied them within the walls of the priſon. There is a public tap near the entrance of it, where porter is ſold at the common price of three-pence half-penny per pot, and as there is always a quick draught for it, near five hundred butts being uſed in the courſe of the year, it is in general extremely good, and much better, perhaps, than can be had out of doors. There is, beſides, a kind of ſubordinate tap, called the *Brace*, from its having been formerly kept by two brothers of the name of *Partridge*, which the priſoners alſo frequent for the purpoſe of drinking porter. There is alſo a coffee-room,

where

where there is an ordinary every day, a wine-room, and a place where porter is allowed to be drank.

Several of the lower rooms are occupied by perſons in the chandlery line. There is alſo a very good bake-houſe, and a public kitchen, where the priſoners have their victuals cooked every day, free from any expence, till three o'clock. There are alſo ſeveral private kitchens, at which the better ſort pay for having their dinners dreſſed. The market conſiſts of ſeveral butchers, and green-grocers, where veal, beef, pork, and mutton, with the beſt of vegetables in ſeaſon, are to be had every day, as freſh, and as good, as any where elſe, and frequently cheaper, owing to their being generally paid for in ready money. Fiſh of every kind, and poultry, with various other

articles, are alſo brought in every day, in great plenty, and ſold on the moſt reaſonable terms.

In the centre of the priſon is a very neat and convenient chapel, at which divine ſervice is performed every Sunday morning, for which the clergyman receives a ſettled ſalary.

The priſon is plentifully ſupplied with water, both hard and ſoft, of the former of which there are ſeveral excellent ſprings; and formerly a large room, with a good fire in cold weather, was kept for the priſoners to meet and converſe in, and to tranſact any buſineſs they might have to ſettle with their friends.

The Fleet Priſon is one entire building, conſiſting of three ſtories, ſurrounded

ed by a wall, near 40 feet high, to the whole of which, there are but two ſtair-caſes. It is laid out in galleries, containing a great number of rooms on each ſide, all of which are conſiderably larger than thoſe of the King's Bench, thoſe in the ſtate-houſe excepted. It has a very convenient tap, coffee-room, and chapel, as well as a public kitchen, and is particularly fortunate in being ſituated ſo contiguous to the Fleet Market, from whence the priſoners readily ſupply themſelves with the different neceſſaries of life.

A priſoner in the King's Bench, or Fleet Priſon, is confined, either within the walls, or what is called *the Rules*, where he lives at large, in conſequence of permiſſion given him by the Marſhal, or the Warden, for that purpoſe.

The

The Rules of the King's Bench, as well as thoſe of the Fleet, are ſaid to have had their origin in a temporary arrangement, whilſt the priſons were rebuilding. But however high the authority on which this is ſtated, it is to be obſerved, that by the ſtatute of 8 and 9 of William III. it is declared, that all priſoners, either upon contempt, or meſne proceſs, or in execution, who are or ſhall be committed to the cuſtody of the Marſhal of the King's Bench priſon, or Warden of the Fleet, ſhall be actually detained within the ſaid priſons of the King's Bench and Fleet, OR THE RESPECTIVE RULES OF THE SAME, until they ſhall be from thence diſcharged by due courſe of law. The Rules of the King's Bench priſon were, till the year 1790, upwards of *three miles* in circumference, and included the *Dog* and *Duck*, the

the *Royal Circus*, and ſeveral other places of public entertainment.

The Court of King's Bench, however, thought proper in Eaſter Term, in the 30th year of his Majeſty's reign, to order, that the Rules ſhould be compriſed within the following bounds; that is to ſay, from great Cumber Court, in the pariſh of St. George the Martyr, in the county of Surry, along the north ſide of Dirty-Lane, and Melancholy Walk, to Black-Friars Road, and along the weſtern ſide of the ſaid Road, to the Obeliſk, and from thence, along the ſouth weſt ſide of the London Road, round the Direction-Poſt, in the centre of the Roads, near the public houſe, known by the ſign of the Elephant and Caſtle, and from thence, along the eaſt weſt ſide of Newington Cauſeway, to Great Cumber-

Court,

Court, aforeſaid; that the New Gaol, Southwark, and the highway, *excluſive* of the houſes on each ſide of it, leading from the King's Bench priſon, to the ſaid new Gaol, ſhould be conſidered as within, and as part of the ſaid Rules; and that all *taverns*, *victualling-houſes*, *ale-houſes*, all *wine vaults*, and houſes or places *licenſed* to ſell gin, or other ſpirituous liquors, ſhould be excluded, and deemed no part of the ſaid Rules.

The court was alſo pleaſed to order, at the ſame time, that no priſoner in the King's Bench priſon, or the Rules thereof, ſhould be entitled to have more than three Day Rules in each Term, and alſo, that he ſhould return within the walls, or Rules, at, or before, nine o'clock in the evening. The expence of the day Rules is 4*s.* 2*d.* the firſt, and third day, and 3*s.* 2*d.* the ſecond day.

Appli-

Application was made to the court of Common Pleas, to contract the Rules of the Fleet Priſon, which are about half a mile in circumference, in the form of a *quadruple*, including part of Fleet Market, Ludgate Hill, the Old Bailey, and Fleet Lane; but *Lord Loughborough*, the chief juſtice, declined making any other alteration, than that the *whole* of the London Coffee-houſe, which terminates the Rules on Ludgate Hill, ſhould, in future, be conſidered as being within them, inſtead of only a *part*, or one ſide of it, which had heretofore been the caſe. The Day Rules are alſo continued as uſual, and a priſoner in the Fleet Priſon, may go out every day, during the whole of the Term, from nine o'clock in the morning, till twelve at night, on a Rule, upon paying 5*s.* the firſt and laſt day, and 4*s.* 6*d.* every intermediate day, as a fee for the ſame.

If the priſoner is in the Rules, a day Rule is granted him in courſe, upon applying for it, having already given *ſecurity*; but if within the walls of the King's Bench, or Fleet Priſons, the Marſhal and Warden will probably expect a bond, or ſuch indemnity for his return, as it may be thought proper, from various circumſtances, to require on the occaſion.

There are generally from ſixty to ſeventy priſoners in the Rules of the King's Bench, and nearly the ſame number in thoſe of the Fleet. This indulgence is entirely at the option of the Marſhal and the Warden, who grant it, or refuſe it, as they think proper. If the ſecurities of the priſoner are approved of, the terms are perfectly arbitrary. The general practice, however, obſerved by the Marſhal

ſhal of the King's Bench, in charging for the rules, is *ſeven guineas* and *a half* if the debt is £50, and *ten guineas* if £100, and *five guineas*, perhaps, for every other £100, for which a priſoner may chuſe to take them; for it is to be obſerved, that thoſe who have the rules either of the King's Bench or the Fleet, do not take them for the *preciſe* ſum they are in cuſtody of the Marſhal or Warden for, but to ſuch an *amount* as they may have reaſon to apprehend will come againſt them; ſince it is cuſtomary for the Marſhal and Warden to call them within the walls of their reſpective priſons, in caſe any detainer ſhould come againſt the priſoner, to make what he is charged with *exceed* the money he may have taken the rules for. Thoſe of the Fleet are to be obtained on more moderate terms, the uſual charge being 5 per cent.

for the firſt £100, and two and a half per cent. for every other £100.

Upon the death of the Marſhal, or Warden, it is uſual for the ſucceſſor, upon coming into office, to require freſh ſecurities of thoſe who have the rules, or to have their bonds re-executed, with the fee, or purchaſe-money, originally paid by them. Mr. *Jones*, the preſent Marſhal of the King's Bench, however, on his appointment to that arduous and difficult ſtation, in part gave up his right, and much to the honor of his feelings and liberality, upon renewing the bonds of the rulers, only took *half* the money he might have claimed upon the occaſion.

In the priſon of the King's Bench there are about 176 rooms, for which the Marſhal

Marſhal receives one ſhilling a week each for rent. There are alſo 24 rooms on what is uſually called the *common* ſide of the priſon, which are generally occupied by the lower claſs, who are called *common ſide priſoners*, from whom the Marſhal never receives any rent whatever.

The priſoners, who are from *four* to *ſeven* hundred, on their coming into priſon are billeted on one of the rooms. When there is more than one priſoner to a room, two priſoners are billeted, in rotation, on each room, and when there are more than two priſoners to a room, three priſoners are billeted, in rotation, on each room. If the number of priſoners in the priſon will admit of there being but one priſoner in a room, he pays one ſhilling per week rent; but if

not, thoſe in the room pay equally towards it, making up in the whole one ſhilling a week. The Marſhal has a power of removing priſoners to the common ſide of the priſon for arrears of rent, but ſeldom exerciſes it, unleſs the neglect of payment is found to ariſe from a want of inclination, and not from the poverty of the priſoner. There is never more than one perſon put into a room in the ſtate-houſe, for which he pays half a crown every week for rent.

Frequently a poorer priſoner, for a *pecuniary* conſideration of *three* ſhillings and *ſix* pence a week, made him by the other priſoner chummed with him, will retire from the room, and in that caſe the priſoner who makes the compenſation has it entirely to himſelf, and continues

tinues to poſſeſs it as long as he pays the money.

The priſoners who are paid out, chiefly ſubſiſt upon the three ſhillings and ſixpence per week, and ſleep, ſix or ſeven of them, in a room together, or in the tap, the uſe of which, after eleven o'clock at night, is allowed them for that purpoſe.

To chum the priſoners is a principal part of the buſineſs of Mr. *Hill*, the Deputy Marſhal, who for many years aſſiſted his late worthy and much reſpected father in that ſituation, and who, from his obſervation and experience under him, and his own good ſenſe and penetration, may juſtly be allowed a valuable acquiſition to the place. On the priſoners applying to him, he chums them on

rooms moſt ſuitable to their rank and ſituation, and no fees are taken by him on that account. The billets are delivered under his ſignature, and given to the priſoner by the crier, who makes no *demand* of any gratuity, though it is cuſtomary to make him a preſent of ſomething for his trouble. Perſons continue very frequently in priſon ſome time without being chummed; but this is often their own fault, owing to their not making the neceſſary application, either from ignorance, or not thinking it worth their while, from the hope they may have of being ſoon enabled to ſettle their affairs, and obtain their liberty; in which caſe they hire a room, or part of one, merely as a *temporary* accommodation. There are no rules or uſage in the King's Bench for regulating ſucceſſion to rooms.

The

The doors of the King's Bench are ſhut at *ten o'clock* at night, and thoſe of the Fleet at twelve, during terms; about half an hour previous to which time, the crier goes round crying, *ſtrangers*, *women*, and *children*, all out, there being an order of court not to permit any women or children to reſide within the walls. After that time none of the officers have acceſs to the priſon, nor do any of them ſleep within it. Three watchmen go round the inſide every night, and make a report the next morning of any irregularity that may have been committed.

There is no proviſion of any kind whatever for ſupplying *indigent* priſoners with neceſſary food, bed-clothes, or covering of any ſort; nor any hoſpital or *medical* aſſiſtance afforded them, though the rooms now called the *Brace*, were originally

originally intended for an infirmary; nor are there any regulations reſpecting the removal, or interment, of the bodies of thoſe who die in priſon. On the death of a debtor, a jury of twelve, who have a fee of one ſhilling each for their trouble, are promiſcuouſly taken from the priſoners at large, who immediately inſpect the body of the deceaſed, and report to the coroner the cauſe of his death.

To get on the common ſide, a priſoner muſt ſwear he is not worth five pounds, and that he has no other means of ſubſiſtence. He is then permitted to ſhare of the benefits thereof. He muſt, however, have been in priſon three months before he can have a *whole* ſhare. Two months entitle him to a quarter ſhare. The clerk of the papers is ſteward

ard for the charitable donations, which are eighty-two pounds in money, forty-three ſtone of beef, and five dozen of bread at Chriſtmas, and ſixty-five penny loaves every eight weeks. He proportions the exact allowance to each of the priſoners, and ſometimes, when in great diſtreſs, advances them a part of it for their immediate relief. The priſoners on the common ſide have alſo the privilege of attending the gate every day inſide the priſon with a begging box, the produce of which is equally divided amongſt them.

In the Fleet priſon, a priſoner having paid his commitment fee of £1 6*s.* 8*d.* and 2*s.* to the turnkey, if on the maſter's ſide, ſucceeds in rotation to the poſſeſſion of a room, 15 feet by 11½, for which he pays to the Warden 1*s.* 3*d.* every

every week. If a priſoner goes on the common ſide, and is not ſworn at the begging grate, he pays a fee of 13*s.* 4*d.* A perſon by being ſworn on the begging grate is entitled to partake of the donations of the priſon, which conſiſt of money to the amount of £39 19*s.* 6*d.* beſides meat, coals, and bread, to do which he muſt ſwear he is not worth £5 in the world. This charity is received by about twelve of the priſoners. On the common ſide there are accommodations for upwards of 180 perſons. There are four large rooms, 28 feet by 14, for their uſe, in which there are 27 cabins, 7 feet high, and partitioned off, for which no rent is paid. On the maſter's ſide, there are 114 rooms. When a perſon ſucceeds to a room, he frequently lets it at a guinea a week furniſhed, and *eight ſhillings* and *four pence* unfurniſhed. In the

the Fleet priſon more than two priſoners are never put in one room, and when there are two in a room, they pay $7\frac{1}{2}d.$ each per week to the Warden.

Mr. *Templer*, Maſter of the Crown Office, viſits the King's Bench priſon twice a year, under the direction of an act of parliament, of the 2d George III. for the purpoſe of enquiring into any abuſes that may be complained of, and of which he reports accordingly.

After a priſoner is in cuſtody of the Marſhal of the King's Bench, or the Warden of the Fleet, his plaintiff proceeds regularly in his action againſt him, if he delivers a declaration before the end of the next term, after the writ is returnable. The priſoner may, therefore, if arreſted any day in Trinity vaca-

tion,

tion, be ſeven months in gaol before the plaintiff is obliged to deliver him a declaration, ſtating fully the cauſe of action, as he need not do it till the laſt day of the ſucceeding Hilary term; and he may be twelve months in priſon before the cauſe is brought to trial.

If in conſequence of the plaintiff's neglecting to proceed according to the practice of the courts, the defendant is entitled to be ſuperſeded, or ſet at liberty: in order to procure his releaſe, he muſt get a certificate of the cauſes he is charged with from the clerk of the papers, the fee for which is 3*s.* 6*d.* with an affidavit, if he is in a county gaol, of the gaoler's having ſigned ſuch certificate. He muſt then take out a ſummons from a judge for the plaintiff to ſhew cauſe why a writ of *ſuperſedeas* ſhould not iſſue

to diſcharge the defendant. The ſummons muſt be ſerved on the plaintiff's attorney, and if the plaintiff's attorney does not attend the Judge, affidavit muſt be made of the ſervice, and of the attendance of the defendant's attorney, upon which, the Judge will grant an order for the defendant's diſcharge.

If the priſoner ſhould be unable to defray the expence, he may petition the ſociety for the relief of perſons impriſoned for ſmall debts, who will, on a ſtate of his caſe, procure his *ſuperſedeas* for him, free of any charge whatever.

The Marſhal of the King's Bench, and the Warden of the Fleet, have a right to diſcharge any priſoner, whoſe action has been ſuperſedable *ſix* months,

and the court of King's Bench, and Common Pleas, have frequently made arule for turning out all perſons in that ſituation.

At the end of every Term, the Marſhal of the King's Bench, and the Warden of the Fleet, cauſe to be expoſed to public view, in the reſpective lobbies of their priſons, under a penalty of £.50 a certain paper called a *docket*, containing an account of ſuch priſoners as are charged in execution.

The Lords Act is intended for the mutual benefit of the creditor and debtor; with a view of preventing the debtor from ſquandering away his property in a gaol; it empowers the creditors to ſummon him before a Judge, when, ſhould he neglect, or refuſe, to give a true

true ſchedule, or to execute an aſſignment, or conveyance of his property, he is liable to be tranſported for the term of ſeven years, or to ſuffer the penalties of wilful perjury upon giving in a falſe account. The inſtances of creditors ſummoning debtors under the Lords Act are very few, indeed, and not ſo much as a ſingle one is to be found, of any one creditor having ever obtained his debt, or any part of it, through its means. In order to prevent a debtor, who is willing to give up his all, from being kept in priſon by a vindictive creditor, this Act alſo allows the debtor to ſummon the creditor before a Judge, for the purpoſe of his obtaining his diſcharge, upon delivering up the *whole* of his property. This Act, however, excludes from the benefit of it all perſons in execution for more than £300.

But before any debtor can poſſibly have any relief under it, he muſt, at his own expence, proceed as follows: after making up a ſchedule, or account in writing of his eſtate or effects, he muſt, fourteen days before preſenting his petition, cauſe a notice, in writing, to be ſerved on the creditors, at whoſe ſuit he ſtands impriſoned, at their uſual place or places of abode, or if they cannot be met with, on their reſpective attornies or agents; in which notice, a copy of the ſchedule, which the debtor intends to deliver into court, muſt alſo be ſet forth.

A petition muſt be drawn up, and be preſented to the court out of which the proceſs iſſues, or into which he may have been removed by Habeas Corpus, certifying the cauſe or cauſes of his impriſonment, and ſetting forth a particular

cular account of the eſtate and effects then belonging to him, at the time of his firſt impriſonment, in the action, and of all ſecurities, deeds, and writings reſpecting the ſame, with the names, and places of abode, of the witneſſes to ſuch ſecurities, deeds, and writings, ſo far as he knows. An affidavit or affidavits, of the due ſervice of every ſuch notice, muſt then be delivered with the petition, at the time of preſenting thereof, and openly read in court. Oath muſt alſo be made, if any part of his debts have been paid, that the debtor remains in execution for no greater amount of debts than the Act preſcribes. If the court finds that notices have been regular, and duly ſerved upon the creditors, the petition is then received, upon which the ſeveral creditors muſt be ſummoned on a Rule of Court, to appear perſonally in

court, on a certain day: and laſtly, an affidavit, or affidavits, muſt be made of the due ſervice of ſuch Rule or Order. The court are then in a ſummary way to examine into the matter; and the priſoner having made oath, in open court, that he has made a full and fair diſcovery of his eſtate and effects, the ſame are to be aſſigned over to the creditor or creditors, who ſhall have charged any ſuch priſoner in execution, to be ſold and diſpoſed of with all convenient ſpeed, for the benefit of ſuch creditor or creditors, and the nett produce thereof divided amongſt them. Priſoners in gaol, at the diſtance of more than twenty miles from Weſtminſter-hall, are to be brought up at the aſſizes; or if in Wales, or the county Palatine of Cheſter, at the reſpective great ſeſſions.

If the debtor has been able to defray the neceſſary expence of theſe proceedings, and no irregularity or defect appears in them, he is entitled to the benefit of the ſtatute, which is as follows:

If none of the creditors who have charged him in execution, inſiſt on his being *ſtill detained in cuſtody*, after he has thus ſurrendered his effects, or if he has not been charged in execution ſince his petition was preſented, he is to be diſcharged, and ſet at liberty.

But any one creditor, who has charged him in execution, may, without aſſigning any reaſon whatever, after the priſoner has been at the expence of proceeding as above, and has ſurrendered his effects upon oath, inſiſt upon his being *ſtill detained in priſon*. In that caſe, the court

muſt

muſt *remand* him, and he muſt be confined in priſon for life, provided the creditors agree to allow, and regularly pay him, *four-pence* a *day* for his ſubſiſtence.

If none of the creditors think proper to detain him on thoſe terms, and he obtains his liberty, he may be inſtantly ſeized upon by a freſh arreſt, and again impriſoned by any creditor at whoſe ſuit he was not in execution at the time of his diſcharge, in which caſe he muſt again, if he is able, go through the ſame courſe to regain his liberty, or the alternative of a *groat* a day in priſon.

A priſoner is required by the Act to ſue for his groats, the Term *immediately* following his being charged in execution; but the courts have permitted him to do

it

it long after the time preſcribed has elapſed, upon his making affidavit of his ignorance of the law in that reſpect.

If the priſoner is unable to defray the expence of ſuing for his groats under the Lords Act, he may petition the ſociety for the diſcharge of perſons impriſoned for ſmall debts, who will thereupon cauſe it to be done for him.

The leading rule of this ſociety is, that ſuch debtors ſhall have the preference, as are moſt aged and infirm, have the largeſt families unprovided for, are moſt likely to be uſeful to community, and appear to have loſt their liberty by unavoidable misfortunes, at leaſt not by fraud, vice, or extravagance. And to enable the ſociety to carry this rule into execution, their practice is to oblige every petitioner

to

to name two reſpectable houſe-keepers, as vouchers for his integrity, ſobriety, and induſtry, and to whom the ſociety conſtantly refer for their inquiries, and by theſe means, preclude almoſt the poſſibility of being impoſed upon.

The expence of ſuing for groats to a debtor, is generally between *two* and *three guineas*, though there are attornies who will do it for a *guinea* and a *half*, and at a leſs ſum, and by contracting for it with their ſolicitor, the ſociety get it done at a ſtill cheaper rate.

It is a fundamental rule with the ſociety, never to exceed the ſum of £.10 in ſettling any debt; and in ſtrictly confining their charity within the bounds preſcribed, a prodigious number of perſons are enabled to partake of their bounty.

Doubts

Doubts have frequently arisen amongst the prisoners who receive their groats, as to what may be called *legal*, or *proper* payment thereof. It has been held necessary by some, that they should be paid by the plaintiff every Monday, into the *hands* of the defendant himself, while others have refused them, upon their being tendered by the lobby people the next morning, although acknowledged to have been left with them the *preceding* day. It is, however, fully sufficient, and perfectly regular, if the groats are left for the prisoner, who is to apply for them at the lobby, where, if they are not paid before 10 o'clock at night on Monday, or day on which they are due, he is entitled to his discharge, to obtain which, he must summon the creditor before a Judge.

By

By the 2 George II. all ſheriffs, and keepers of priſons, are to permit priſoners to ſend for, and to have, at their own will and pleaſure, victuals, bedding, linen, and other neceſſaries, from what place they pleaſe, without purloining or detaining the ſame, or any part thereof, and without obliging them to pay for the liberty of having them.

A table of the fees to be taken, is to be made out, and to be hung up in every gaol.

The courts of Weſtminſter, every Michaelmas Term, are to enquire whether ſuch fees and rules are properly hung up and obſerved, and are to give eight days notice to the priſoners of ſuch inquiry, and are to redreſs whatever they may find neglected or tranſgreſſed, and at

at aſſizes, they are to give ſuch inquiſition in charge to the grand jury.

The judges are to hear and determine, in a ſummary way, the petitions of priſoners, complaining of the malverſations of gaolers, and other officers.

They are to examine into all gifts and legacies given for the benefit of poor priſoners, and are to take care that tables of ſuch gifts and legacies are openly hung up in the ſeveral gaols, and that they be regiſtered by the clerk of the peace.

And here it is to be obſerved, that the judges have ever ſhewn themſelves ready to redreſs any evil complained of, as far as their power have permitted them to do it. They rather invite, than diſcourage complaints, and never fail, in all

matters that come before them, between creditor and debtor, to lean on the ſide of the latter, whenever their humanity can be exerciſed without violating the principles of juſtice.

About 150 priſoners have the benefit of the Lords Act procured them every year by the Society of the Thatched Houſe.

When a perſon has the misfortune, upon being arreſted, to be carried to an officer's houſe, it frequently happens, that he is found to continue in it, either from a miſtaken idea of the King's Bench and Fleet Priſons, or a total ignorance of them, till every ſhilling of his money is expended. The beſt thing he can poſſibly do when he ſees no proſpect of *arranging* his affairs, ſo as to obtain his liberty,

liberty, is to remove himſelf to one of thoſe priſons by a *Habeas*, which he may get done for *four* guineas, though five or ſix will probably be required.

The fees of the Fleet have already been mentioned. A priſoner pays at the King's Bench 6*s.* 2*d.* as a commitment fee, together with 1*s.* to the crier, 1*s.* to the cook, 1*s.* to the ſcavenger, and 1*s.* to the clerk of the chapel. For every diſcharge, the Marſhal has 7*s.* 4*d.* except a crown debtor, from whom he receives £.1 7*s.* No fee is paid by thoſe diſcharged under the Lords Act. The deputy Marſhal has upon every diſcharge 4*s.* and the clerk of the papers 3*s.* 4*d.*

On a perſon's coming into priſon, many offers of a lodging will be made him, according to his rank and condition,

and the ſuppoſed ſtate of his *finances*, information of which has been probably had, while in cuſtody of the officer. When a priſoner comes in at night, or late in the evening, he has but little time for conſideration, and often, through a want of choice, is hurried into an agreement of the moſt exorbitant kind. This, however, he need not long ſubmit to. The firſt opportunity ſhould be embraced in applying for a *chummage* to the *deputy Marſhal*, through whoſe attention and impartiality it may be expected as ſoon as poſſible. Till that can be done, he will do well to hire a room. It will, probably, coſt him a *guinea* a week; but he will ſoon find his account in it, as he will thereby be enabled to *aſcertain* the amount of his expences, to proportion his mode of living to his circumſtances, and to regulate it on any *ſcale* he may

pleaſe,

pleaſe, whereas he muſt otherwiſe, by being obliged to quit the place he ſleeps in early in the morning, be forced to wander about the whole of the day, from one place to another, without any fixed home, and to ſquander away, in a diſagreeable manner, *five* times the money he might live comfortably for in his room. If a *whole* room cannot be obtained, he ſhould hire *part* of one, or board himſelf with ſome proper perſon, which he may do on reaſonable terms.

This advice is of the utmoſt importance to the debtor, who, upon entering into priſon, ought immediately to ſet about accommodating himſelf in the *beſt* and moſt *economical* manner. Nothing can be more ridiculous and contemptible, than the conduct of a priſoner, in forming an *eſtabliſhment* which he could not even ſup-

port out-doors, inſtead of huſbanding up the little ſtock of money he may have ſaved as the wreck of his fortune.

No places in the univerſe abound ſo much with *character* as the King's Bench, and the Fleet. Of the priſoners, ſome have a property, or an income, to ſubſiſt upon; ſome a regular allowance from their friends; ſome are obliged to *feed* like *moths* upon their clothes, and ſome have to depend wholly on chance, or accident, to lengthen out a miſerable exiſtence; while others, and thoſe of the greateſt number, carry on ſome trade or buſineſs, as regularly as if they had been born and bred within the walls, and become at length ſo attached to the place, and ſo tenacious of their right to remain in it, that it is no uncommon thing for them, when there is nothing elſe to hold them,

them, to procure ſome *friendly* action to be lodged againſt them, there being nothing they dread ſo much as the fear of being turned out. In point of *perſonal* conſideration, little or no ſuperiority appears amongſt the priſoners in the King's Bench or the Fleet; like the grave, they level all diſtinctions! the pooreſt, and the worſt, fancy themſelves upon an equality with the richeſt and the beſt, and think a mere locality of ſituation, ariſing from a ſimilarity of cauſes, a ſufficient title for mixing with company they never could otherwiſe have aſpired to. Nothing can be more neceſſary than for new priſoners to uſe every caution in the acquaintance they make, ſince their *morals*, as well as their *character* and *expences*, depend eſſentially upon the firſt circles they happen to get into.

The

The priſoners are of the moſt miſcellaneous nature; and it would be ſtrange indeed, if amongſt ſuch a promiſcuous group, there were not ſome entirely loſt to all ſenſe of ſhame, and wholly abandoned to every ſpecies of vice and infamy. Of the ſame number of perſons out-doors, the ſame obſervation may probably be made. There are, however, amongſt them, many poſſeſſed of every principle of virtue and morality, ſplendid even in name and in talents, men of genius, worth, and liberality, of the moſt correct and amiable manners, whoſe characters would do honour to ſociety, and whoſe *misfortunes* are their only crimes.

In the King's Bench and Fleet Priſons, there are frequently upwards of one thouſand perſons, and it ſurely may be thought

thought a matter of ſome curioſity, at leaſt to the world, to know *how* or in *what* manner, ſuch a great body of people may be employed. To a common obſerver, the generality of them may appear to live entirely at their eaſe, and to be men of independent fortune. Indeed, many of them are ſo, either from the property ſtill in their poſſeſſion, or the allowance of their friends. The *average* price of living is eſtimated at *twelve ſhillings* a week. There have been priſoners, however, who have had eſtabliſhments, that could not be ſupported but at an expence of between *thirty* and *forty* guineas a month. The great bulk, indeed, of the priſoners, live extremely hard, and ſeldom know what it is to have a good dinner; nor are inſtances wanting of perſons having actually periſhed, from a total deprivation of the common neceſſaries of life.

The

The lower ſort of priſoners amuſe themſelves at *ſkittles* and *bowls*. The favorite game, however, and that which in a manner characteriſes both the King's Bench and the Fleet Priſons, is *rackets*; all new priſoners are endeavoured to be drawn into this amuſement, which conſiſts of ſtriking a ball with a racket againſt the wall, after the manner of *tennis*. The rules given for playing at it to *young* hands, are extremely conciſe and ſimple, and are only to ſtrike *high* and *hard*, as the profit to the maſter of the ground, which is given him by the Marſhal, is on the balls that are ſtruck over the wall, and which are charged for at *two* pence, or *three* pence a piece.

In ſuch places as the King's Bench and Fleet Priſons, it will, no doubt, appear ſomewhat extraordinary, that credit ſhould

ſhould be given to a conſiderable extent. Priſoners, however, ſhould be cautious how they run into debt, and ſhould ſubmit even to the laſt extremities, before they have any thing upon truſt, at leaſt, before they are certain of being able to pay for it at the time agreed upon. If they fail in that, the conſequences to a man of feeling are dreadful indeed! partly owing to the tradeſman not being able to give long credit, and partly owing to his not being able to get any thing from the men of *honor* indebted to him, who in priſon, as well out-doors, can ſeldom or ever be made to pay what they owe. An *honeſt* man, who cannot diſcharge his bill, though ever ſo trifling, when called upon, is immediately expoſed to a ſeries of torments, that are neither to be deſcribed nor conceived. When he riſes in the morning, his doors are beſet with creditors, like ſo many *centinels*, and if he

he goes out, they are ſure to watch him with a hundred eyes upon the parade, and to meet him in every direction, and to follow him with a vindictive perſeverance that never tires; and the ſame ferocious purſuit is repeated every day, until the hunted debtor, relieved at length by his expected pittance, pays the few ſhillings he owes, and is happily reſcued from the hell he endured!

This will, of courſe, be conſidered as applied only to men of feeling. In priſon much depends upon *appearances*, and ſometimes thoſe who have neither principle nor reſources, find means to get more in debt, than thoſe who have both the one and the other. Such, indeed, are callous to every importunity of the creditor, who, unable to effect any thing by ſtorm, is frequently found to raiſe

raiſe the ſiege, and to reſort to other means; the principal ones of which are, to bribe their meſſenger to give intelligence of the firſt money he brings them, and to obtain information from any one they may ſend to change a guinea with, when the Creditor is ſure to *dun* them with redoubled vigor, and ſometimes, by attacking them in a lucky moment, to *ferret* or *bore* them out of a part of his debt.

The uſe of ſpirituous liquors is prohibited by a rule of court. Every perſon detected in bringing any into priſon is liable to be committed to gaol for a limited time. Inſide the King's Bench and the Fleet, not only the *ſale*, but the *uſe*, is chiefly forbid, unleſs *medicinally*. There are, however, certain places where

it is to be had, called "*Whiſtling Shops*," it being ſuppoſed, that thoſe who frequent them only *whiſtle* for ſpirituous liquors, being afraid to *aſk* for any thing of the kind.

Reſpecting the *Police* of the King's Bench and the Fleet, the conduct of the Marſhal and the Warden, when it is not regulated by any rule of court, depends entirely on their will and pleaſure. In all public bodies or ſocieties, a due ſubordination is indiſpenſably neceſſary. The Marſhal and Warden are officers of great public truſt and confidence, and muſt be ſupported; and conſidering the vaſt number, as well as *eccentric* nature of the perſons in their cuſtody, and that there are but few, indeed, that do not come quite ſoured in their temper, and ill-diſ-

poſed to be pleaſed, it is really wonderful that peace and order ſhould be ſo well preſerved. Diſputes between the priſoners are ſeldom attended to by the Marſhal and Warden, unleſs complaint is made by one of the parties, when the Marſhal and Warden, or their deputy, decides, according to the circumſtances of the caſe. There are many occaſions on which the Marſhal and the Warden may commit priſoners to the New Bridewell, the New Goal, and Newgate; and frequently perſons are put into a place called the *Strong Room* for a certain time, for miſdemeanors that may be thought deſerving that puniſhment.

Perſons may be diſpoſſeſſed of their rooms, who are in upon *friendly* ſuits, whoſe actions are *ſuperſedable*, and who

have *neglected* to ſue for their groats under the Lord Act. Thoſe are alſo liable to the ſame removal, who let out their rooms, or diſcontinue to uſe them on their own account. Such priſoners, alſo, as refuſe or neglect to pay their rent, as has been already obſerved, for the ſpace of *one* month, may be turned over to the common ſide, and kept out of their room, until they have diſcharged the arrears: a room alſo becomes forfeited by the ſale of any ſpirituous liquors, or the uſe of any unlawful games. Formerly the Marſhal uſed to ſupply the priſoners with beds and bedding, at certain rates fixed by a rule of court, as appears by the following extract from a table of fees ſettled by the court; but this, as well as many other of the rules, are now *obſolete*, or never put in force.

To

To the Marſhal for the uſe of chamber, bed, bedding, and ſheets, for each priſoner, if provided by the Marſhal at the priſoner's requeſt, for the firſt night, in the common ſide of the ſaid priſon — — — 6*d.* each.

For the like uſe every night the priſoner remains in cuſtody after the firſt — — 1½*d.*

If two lie in a bed — 1*d.* each.

For the like uſe of any priſoner that comes on the Maſter's ſide, for the firſt night 6*d.*

For the like uſe every night after the firſt — — 3*d.*

If two lie in a bed — 2*d.* each.

Indeed it is frequent that the Marſhal and Warden relax in their authority, in order to win, by their lenity and forbearance, what they might enforce by virtue of their office: all things, diſpaſionately conſidered, the government of the King's Bench and Fleet Priſons muſt be allowed not only *mild*, but *liberal* to a degree. Every priſoner, except that he cannot go out of Priſon, is his own maſter, and perfectly independent. He may be aſſured of the protection of the Marſhal and Warden, ſo long as he conducts himſelf with propriety, and that neither they, nor their officers, will ever be the firſt to miſbehave; nor is it difficult for a priſoner to be reſpected even in a priſon, ſince nothing more is required of him to make him ſo, than a proper attention to his *pecuniary* engagements, and a civil

a civil deportment to his fellow-prisoners.

However impatient debtors may be under their confinement, they muſt be ſenſible, that they ſuffer neither cruelty nor oppreſſion from thoſe in whoſe cuſtody they are. It is not the rigour of thoſe appointed to execute the law; but the ſeverity of the law itſelf, of which they have to complain. Nor does the inſolvent debtor yet murmur againſt impriſonment for debt; it is againſt *perpetual* and *everlaſting* confinement, that he appeals to humanity and reaſon.

No expreſs Act of Parliament has ever been made to declare it *lawful* or *legal*, though the practice, it muſt be confeſſed, has been recognized by ſundry ſtatutes. To enter however into an elaborate inveſtigation, for the purpoſe of aſcertaining

taining whether it is founded in law or not, would be equally idle and abſurd. Surely nothing can be more ridiculous than to argue, whether a cuſtom is *legal* or not that experience has proved to be impolitic and cruel? And that impriſonment, at leaſt *perpetual* impriſonment for debt, is undoubtedly ſo, is certainly too well atteſted to be diſputed.

The ſociety at the Thatched Houſe have, at the expence of only £.29,384 10*s*. 2*d*. diſcharged from gaol, and otherwiſe relieved, no leſs than 12,590 priſoners, 8842 wives, 12,268 children, making in the whole, 43,700 perſons, at an average of 45*s*. for the men, and of no more than 13*s*. each on the whole.

Nothing can more fully prove the utility of the ſociety, or the ſhocking inhumanity of a ſet of creditors, in keeping

keeping ſo many men ſhut up within the walls of a priſon, and ſettling their debts at laſt for a mere *triſle*, not even a third part of the *coſts*, after they have been the utter ruin and deſtruction of an unfortunate debtor, and his wretched family.

Amongſt the number of perſons for whom the ſociety have recovered their groats under the Lords Act, the *original debt* of the following priſoners has been exceeded by the amount of the *coſts*. The original debt of William Taylor, was £.6 6*s*. and the coſts £.12 4*s*. The original debt of John Mackay, was £.26 and the coſts £.30. The original debt of William Coverley, was £.12 and the coſts £.28. The original debt of William Chiſholm, was £.1 1*s*. and the coſts £.4 9*s*. 10*d*. The original debt of Thomas

Thomas Smith, was £.2 6s. and the coſts £.6 8s. The original debt of William Stevens, was £.4 and the coſts £.10 18s. 10d. The original debt of William Harris, was £.1 19s. and the coſts £.5 17s. The original debt of John Ayſton, was £.2 3s. 11d. and the coſts £.14 10s. The original debt of William Wootfield, was 14s. and the coſts £.6 16s. 10d. being nine times the original debt; and the original debt of Matthew Robinſon, was £.1 19s. and the coſts £.33. being *fifteen* times the original debt.

In *Newgate* there are generally about 200 priſoners for debt, who are always in cloſe confinement. There is a place called the common ſide of the priſon, and a part called the maſter's ſide. Thoſe priſoners who go on the maſter's ſide

ſide ſhould pay a weekly rent of one ſhilling, which however is not enforced; and if provided with beds, two ſhillings and ſix-pence. But after the old gaol was pulled down, and the new one built, the common ſide was not ſo much ſeparated from the maſter's ſide, as it uſed to be, and they can now go from one ſide to the other. Thoſe who are able find themſelves in beds. The two ſides are divided into ſeparate rooms or wards. On the north ſide of the *quadrangle*, which is part of the common ſide, there are ſix wards; on the ſouth ſide, there are three wards, and the eaſt ſide is divided into two wards, one for the women, and one for the men.

The maſter's ſide, which is the weſt ſide of the *quadrangle*, is divided into three wards, and contains 18 rooms, for

for which no rent is ever paid. The only diſtinction between the priſoners on the common ſide and the maſter's ſide is, that thoſe who do not chuſe to partake of the donations, do not go to the common ſide. The poorer debtors are confined on the common ſide, and thoſe of a better condition on the maſter's ſide. There are ſome who have no beds, but they are very few. Here, as well as in the King's Bench, and the Fleet, many ſupport themſelves by work. The priſoners, however, in Newgate, generally appear in a ſtate of extreme poverty and diſtreſs.

The priſoners are allowed by the City of London, *one pennyworth* of *bread* per day, and the ſheriffs ſend *eight ſtone* of *meat* per week to thoſe on the common ſide, which is divided amongſt them; beſides

beſides this, there are ſeveral donations, amounting, in the whole, to £.51 10s. per annum, which are alſo divided amongſt them.

The average number of debtors committed and diſcharged every year is 450, and ſince the year 1780, forty-five priſoners for debt have died in Newgate. Of the priſoners, 26 receive their groats, which, with the priſon allowance, is reckoned ſufficient for them in point of ſuſtenance.

Of the different priſons, *Ludgate* is the moſt ancient, and by far the beſt in point of accommodation, with reſpect to the priſoners, who muſt be *freemen* of the city of London, and go there on their being arreſted.

On the ground floor there is a kitchen, tap-room, hall, and dark lumber-room; on the firſt ſtory, a dark room, No. 4, No. 5, No. 6, No. 7, and a dark room; ſecond ſtory, No. 2, No. 3, No. 7, No. 9, and room adjoining the ſtair-caſe; and, on the third ſtory, No. 10, room called Cock-pit, and room called Foreſt, and three ſmall bed-rooms for the uſe of the ſick. Three-pence a week is demanded of each priſoner, which is moſtly paid on their diſcharge, none being taken during their confinement; and from thoſe diſcharged as *paupers* it is never required.

The donations to the priſoners amount to £52 per annum, beſides £35 more, for the diſcharge of ſuch priſoners, for ſmall debts, as can agree with their plaintiffs.

Twenty-

Twenty-ſeven priſoners were the number confined on the laſt return, and of thoſe ſix received their groats.

As a proof of the comfortable manner in which the priſoners think they live in this gaol, when it was viſited by the rioters in the year 1780, at the time the other priſons were burnt, the priſoners all ſecreted themſelves in the garret, in the Keeper's houſe, that they might not be turned out by the rioters.

In the NEW COMPTER, in *Giltſpur-ſtreet*, lately the *Wood-ſtreet* Compter, there are, in the priſon, 16 Maſter-ſide rooms for Debtors: for each room the Keeper is entitled to receive, if he finds bed, bedding, and ſheets, 2*s.* 6*d.* a week; but if the priſoner provides his own, he then pays 1*s.* 3*d.* There are alſo four

rooms, called the Common, or Charity Side, for Men Debtors, up one and two pair of ſtairs. On the firſt pair they dreſs their victuals, &c. and the upper rooms are fitted up with barracks, ſufficient for ſixty perſons, where they ſleep. The ground floor is open, and, in wet weather, is uſed for the priſoners to walk in.

The dimenſions of the rooms are 33 feet in length, and 15 feet in breadth. This building is in a ſpacious oblong yard, and ſeparated from other parts of the priſon by a ſtrong gate. Theſe priſoners pay no rent, nor any entrance whatever. A ſpacious building, 40 feet by 17, is encloſed in an airy and ſeparate yard, for the women, containing ſix rooms. Two of the upper rooms are very conveniently fitted up, with ſubſtantial

ſubſtantial wooden bedſteads, ſufficient to lodge 30 perſons; and in the other rooms they waſh, cook, &c. They pay no entrance money, nor any rent whatever. There are alſo two rooms, one for each ſex of debtors when ſick.

The priſoners, who are in the Charity Wards, have each of them a *rug* when they are firſt brought into priſon, or chooſe to go from the Maſter's ſide to the ſaid wards. They have each a penny loaf of bread a day; and 48 pounds of beef per week is allowed by the ſheriffs, and great quantities of proviſions from the Manſion-houſe, the London and other taverns, and from the different halls, are alſo divided amongſt them.

The donations amount to £54 2s. 5*d.* per annum; ſome of which are paid

quarterly, ſome half-yearly, and ſome yearly; but, for many years, the Keeper has advanced the priſoners a weekly ſum, according to their expences; and as they keep their own accounts, they repay him as it comes into their hands. It is chiefly laid out in coals, candles, and proviſions for the ſick.

On the laſt return, there were ſtated to be 27 men priſoners, eight of whom received their groats.

In the POULTRY COMPTER, according to the laſt return, there are 35 priſoners confined in it for debt, one of which had been impriſoned eight years, one ſix, one three, and the others, upon an average, twelve months. The priſoners conſiſted of three merchants, ſix traders, twenty-

one

one mechanics, one attorney, three ſeamen, and one labourer.

Perſons are committed to the BOROUGH COMPTER, from the Court of Conſcience, charged in execution. Priſoners are alſo committed charged in *meſne* proceſs from the Borough Court, and in execution. It will contain 150 priſoners. There is no allowance in this priſon, but of *one penny* a day from the City of London to each priſoner, and ſome fuel occaſionally given by the Lord Mayor. About 300 priſoners are committed every year from the Court of Requeſts; the higheſt ſum they are ſent for is 40*s*. and all thoſe that are in for more than 20*s*. remain there for forty days, and the debt is then exonerated. There are no fees, either on the commitment, or the diſcharge. Thoſe in priſon

priſon for debt under 20*s.* ſtay 20 days, and are then diſcharged, and a fee of 7*s.* is paid on the diſcharge of a priſoner from the Borough Court. The priſon is a new ſtructure, the ancient one being deſtroyed in the riots of 1780.

It is to be obſerved, that priſoners confined for debt can remove themſelves from any other gaols by *Habeas*, to the King's Bench and Fleet Priſons, and that priſoners confined in thoſe priſons, are frequently removed by *Habeas*, backwards and forwards, from one priſon to the other, ſometimes from mere neceſſity, as priſoners rendered in diſcharge of their bail, and upon being charged in execution, muſt be brought before the Court, from whence the proceſs originally iſſued, ſo that a priſoner in the King's Bench, upon one or more actions, having

having alſo an action againſt him in the Common Pleas, muſt be removed to the Fleet, when he becomes charged in execution in that action, where he remains, until he is again brought back to the King's Bench Priſon, on his being charged in execution, in an action iſſuing out of the Court of King's Bench, unleſs he chuſes to remove himſelf by *Habeas*, the expence of which is from ſeven and eight, to twelve and thirteen pounds, according to the manner in which a priſoner may wiſh to have it done, in point of time, and other accommodations.

Sometimes the priſoner is removed from one priſon to the other, by the *plaintiff*, though obliged to do it at a conſiderable charge, for the ſole purpoſe of *vexing* and *haraſſing* the priſoner; and

ſome-

ſometimes priſoners have been known to remove themſelves backwards and forwards, from one priſon to the other, for their own convenience, chuſing to reſide in the Fleet Priſon in the *winter*, and in the King's Bench Priſon during the *ſummer* ſeaſon; but the Courts ſet their faces againſt this practice, and there are inſtances of their having remanded the priſoner, when the *Habeas* has appeared to have been brought on a *friendly* action, or merely for his *pleaſure*.

Beſides the county, and other public gaols, there are many gaols within the kingdom which belong to certain inferior courts of law. The priſon in *Whitechapel*, belonging to the Court of Record, within the Manor of *Stepney* and *Hackney*, in which the mode of proceeding was regulated by an Act paſſed in

in the 21ſt year of his preſent Majeſty, is one of thoſe gaols. It is confined to the impriſonment of debtors, whoſe debts do not exceed £.5. The court to which this priſon belongs, does not proceed by way of *arreſt*, but by *ſummons*, and no priſoners are received but in execution; the priſoners, charged in execution, are confined a week for every pound of the debt and coſts with which he ſtands charged. The coſts are always fifteen ſhillings in every action; but if the amount of the debt ſued for is *fractional*, ſo as to complete with the fifteen ſhillings the ſum into pounds, the priſoner is detained at the rate of one pound a week. If the coſts remain at a fraction beneath a pound, they are not conſidered in the term of impriſonment. There is only one ward in the priſon. Before *Lord Beauchamp*'s Act for prevent-

ing arreſts under £.10, there have been *three hundred* confined at a time; but ſince, there have been never more than three or four at moſt impriſoned together.

Since the year 1780, there have died in the different gaols, 103 perſons confined for debt under £.20, nine of whom had been in priſon 2 years, four 3 years, and one 5 years; 137 for debts from £.20 to £.50, ſixteen of whom had been in priſon 2 years, ten 3 years, and one 11 years; 75 for debts from £.50 to £.100, nine of whom had been in priſon 2 years, five 3 years, and one 4 years; 127 for debts of £.100 and upwards, of whom twenty-two had been 2 years, nine 3 years, two 7 years, one 10 years, and one 15 years. And a woman died in the County Gaol of *Devon*, after being a pri-

a priſoner *forty-five* years, for a debt of *nineteen* pounds.

It is not meant here to go into particular caſes, but the following one may be given, as preſenting a perfect *picture* of almoſt every evil, that attends the common courſe of impriſonment for debt.

A tradeſman of the City of *Worceſter*, employed an attorney to recover the ſum of *five ſhillings*, owing for *ſecond-hand* clothes, of one *Gaſkin*, a leather-dreſſer of that place. On his proceeding, the defendant agreed to pay a weekly ſum, until the debt and coſts ſhould be diſcharged; the defendant not performing his agreement, the attorney proceeded to judgment; the plaintiff was paid his debt of *five ſhillings*, and a joint undertaking was entered into by the *defend-*

ant, and one *Vale*, for the payment of *five* pounds, being the debt and coſts. Part of the money was levied on *Vale*'s effects, and the remaining ſum of £.3 11*s*. 4*d*. was left for the *defendant* to pay.

To ſum up this dreadful catalogue of diſtreſs in one grand climax of horror and oppreſſion, the *original* debt is five ſhillings, the coſts are as many *pounds*, the creditor receives payment of his *original debt*, the cauſe becomes that of the *attorney*, who proceeds in the name of the creditor, without appriſing him of what he is about; *another* poor man is involved in the misfortune, *all* his effects are taken for *part*, and the original debtor for *five ſhillings*, a manufacturer in the full vigor of youth, againſt whom no charge of fraud is made, lies in priſon for the *balance*.

When

When a creditor arreſts his debtor, he is induced to go on with the action, that he may have the chance of making ſomething by what he has already done, and which his attorney very truly informs him is of no effect, without proceeding farther.

The coſts of an action have been averaged at £.40, of which *five-ſixths* at leaſt, are diſburſed by the *plaintiff*, with very little chance, perhaps, of ever recovering them again, ſince the perſon who muſt go to gaol, becauſe he has not the means of paying £.15, is not likely to pay more than *double* that ſum, in conſequence of his impriſonment.

The coſts upon actions, where the demand is but £.100 and upwards, is eſtimated at 4 per cent. only, and on

actions for ſmall debts at 150 per cent. This enormous diſproportion of debt and coſts, no doubt appears extraordinary; but from a ſtatement on the firſt authority, in actions where the higheſt ſums recovered were £.20, the coſts amounted to £.9250, and the whole amount of the ſums recovered was only £.1948, and in actions above £.50, where the ſums recovered amounted to £.52,262, the coſts were only £.5200.

In the County of Middleſex, about 9500 bailable writs are iſſued every year, of which, about 6000 are ſerved; of theſe, about 7000 are for ſums under £.50, and the reſt for ſums under £.20. In the City of London, the number of bailable writs iſſued in the courſe of the year are about 3050. Of the perſons arreſted annually in London and Middleſex

ſex only, about 900 go to priſon, and half of thoſe are committed for debts under £.20.

The total number of perſons confined for debt in the different gaols of England, according to the laſt ſtatement thereof, were 1957, beſides 100 crown debtors, of which, 1251 are defendants on *meſne* proceſs; of theſe 326 are under £.20, 392 from £.20 to £.50, and 215 from £.50 to £.100. Of the total number 706 are in execution, of which 110 are under £.20, 185 from £.20 to £.50, 141 from £.50 to £. 100, and 270 of £.100 and upwards. The number of wives belonging to the beforegoing 1957 priſoners, were ſtated to be 1300, and the number of children 4088.

Many inſtances are to be given, of priſoners having received more by their *groats*, than the amount of the debt for which they are confined, and the coſts incurred by that action.

One inſolvent debtor, *after he had given up all his effects*, was kept by his creditor upwards of *five* years in gaol, during which period, the ſum paid by the creditor in the allowance of groats, amounted to £.30 5*s*. while the debt was only £.21, though he was *old*, and had a *wife* and ELEVEN children. A woman was alſo confined upwards of two years in Whitechapel gaol, for a debt of £.8, and received the groats from her creditor to an amount almoſt equal to her debt: ſhe behaved ſo well, that the keeper of the gaol took compaſſion on her, and raiſed money enough to procure

cure her diſcharge; what is not unworthy obſervation, the wretch of a creditor lived in a parlour, in the houſe next door to the priſon, and regularly paid the groats every Monday to the poor woman through the grate.

The laſt ſtatement of the ſociety for the relief of perſons impriſoned for ſmall debts, on this head, affords ſeveral other remarkable inſtances; ſeven of the perſons mentioned therein were kept by their creditors in priſon, although they had given up the *whole* of their effects under the Lords Act, and although they were men of *fair* character, until their groats *exceeded* the original debt.

From this account it alſo appears, that in the courſe of one year, 150 creditors, who oppoſed the diſcharge of their

debtors under the Lords Act, ſubmitted to pay them their groats, after their debtors had done every thing in their power to ſatisfy them, and *without having to accuſe them of any fraud or diſhoneſty whatever.*

A great number of priſoners, at preſent in the King's Bench and Fleet Priſons, have been confined within the walls thereof, eight, nine, ten, and eleven years, and amongſt the laſt returns, one man is ſtated to have been 24 years in priſon for £.35, and another in the Fleet in execution, ſince the year 1783, for £.4 10s.

With ſuch ſad and woful experience of the practice, it ſurely cannot but be truly aſtoniſhing, that it ſhould be ſuffered to continue in a great and enlightened

ened nation. *Mr. Burges*, one of his Majeſty's under Secretaries of State, in an elaborate, and truly valuable work, that places both his talents and his virtues in the moſt exalted point of view, has, with a wonderful ability, and laudable perſeverance, traced it to its *ſource*, and followed it through all its intricate windings, and meanders, down to the preſent moment, reprobating, with a force and ſtrength of language admirably ſuited to the occaſion, the practice itſelf, and deſcribing the conſequences of it in terms too pathetic and affecting, not to ſhock every one in the leaſt ſuſceptible of the feelings of a man. If any one ſhould doubt the impolicy of impriſonment for debt, or the innumerable ſcenes of varied woe it introduces into human life, he has only to turn over the intereſting pages of that elegant

writer,

writer, to be fully convinced of both the one and the other; or if the picture he has drawn, ſhould not be thought ſufficiently diſtreſſing, to overwhelm even the moſt inſenſible, with the extremeſt pity and concern, or any farther documents ſhould be required of the facts he has ſtated, he has only to explore the volume of cruelty and oppreſſion, comprized in the report of the Committee of the Houſe of Commons, on the nature and effect of the laws of arreſt, in which, after a vaſt body of evidence, perſonally collected on the ſubject, too important not to be read by every Britiſh ſubject, they deduce, as the *final* reſult of their benevolent inquiry, that any perſon confined for a debt, however ſmall the ſum that he is unable to pay, is, according to the preſent exiſting laws, *liable to be impriſoned for life.*

The

The great error, or cruelty of the law, is in a Debtor's being impriſoned, not for *owing* a ſum of money, but till he *pays* it, whilſt he is prevented, by his confinement, from every means of doing it. At any rate, whether an impriſoned debtor owes his ſituation to misfortune, imprudence, or fraud, he ought not to be treated worſe than a *criminal*. Every one, agreeable to the principles of reaſon and humanity, and the ſpirit of the conſtitution, is guilty or innocent, according to the *intention* he had; but, admitting an impriſoned Debtor to have contracted the debt or debts he is charged with, for the direct purpoſe of *fraud*, ought he not to be treated as well as a *felon?* A notorious *ſwindler*, or one who has committed an *indictable* offence, and who is ſuppoſed *too bad* to be put in the place of a Debtor, is frequently allowed to expiate his crime by

by *ſix* months, and even *three* months confinement in a priſon, while the Debtor, againſt whom no accuſation whatever of fraud is made, and who is not thought to be in an indictable ſituation, is *impriſoned for life!* Again, why ſhould a mere Debtor be doomed to a *harder* fate than the moſt notorious *felon?* If a perſon actually *ſteals* a purſe of money, he is not committed to gaol to be kept there till he *returns* it. The law does not require of *him* what he poſſibly cannot comply with. The puniſhment that he receives is for *ſtealing* it, and the *term* of that puniſhment is a limited one. Not ſo with the wretched *Debtor!* he is committed, not for *owing* a ſum of money, but till he *pays* it. Before he is permitted to hope for an end to his impriſonment, he muſt return the whole of the money he owes, and a great deal

deal more on account of coſts, though it is well known, that it is not in his power, or ever likely to be in his power to do it. Notwithſtanding the odium naturally affixed to the character of a *debtor*, he ſtill is thought leſs criminal in the opinion of the world than a *felon*, and yet the felon would dread being treated upon the ſame principles of law and juſtice. Were felons to be confined till they *return* what they have ſtolen, which would be only dealing with them in a manner analogous to that experienced by the debtor, who is always impriſoned till he *returns* what he owes, they would, nineteen times out of twenty, be immured in priſon for life, as it would ſeldom be in the power of a felon to make a *reſtitution* of the property. Surely the *debtor* ought to be put upon as good a footing as the *felon*, and be allowed to atone for

his crime, by ſuffering *a certain term of impriſonment*, eſpecially when he cannot *return* the money he has borrowed, or diſcharge the debt he has contracted.

In the higheſt criminal the offence *diminiſhes* with his ſufferings, and is, at length, fully *done away* by the puniſhment he receives. But with the incarcerated debtor, no length of impriſonment, no hardſhip of ſituation, nor degree of diſtreſs, ever *leſſens* or *decreaſes* his crime; whatever he endures, the amount of his debt is always the ſame; and at the end of ten or twelve years, or perhaps the cloſe of a once dear and promiſing life, worn out in miſery and deſpair, he owes to the vindictive and unfeeling monſter of a creditor, full as much as he did on the firſt day of his impriſonment. Heaven! what a tale is this! And what is yet to be conſidered,

ſidered, the felon, who finds an end to his puniſhment in a certain term of years, is pronounced *criminal* before he is puniſhed, whereas the debtor, doomed to *perpetual* impriſonment, frequently owes his ſituation to real misfortune, and is an object of pity and commiſeration, inſtead of cenſure and reproach.

Nothing can be more contrary to the truth, or a greater inſult to common ſenſe, than the affected difficulty in *diſcriminating* between the unfortunate and the fraudulent, which is always uſed as the pretext againſt every act of inſolvency. To reaſon a moment upon a point that requires no argument, would be altogether idle and ridiculous. The mereſt ſtudent of the law, and thoſe of the meaneſt capacity muſt know, that there is nothing more eaſy than

to *diſtinguiſh* between the one and the other. To ſtigmatize any perſon impriſoned as a debtor with the name of *cheat* or *ſwindler*, is an injuſtice of the groſſeſt kind, and what no one, however exalted in point of ſituation, birth, or fortune, has a right to do. He is committed as a *debtor*, and ought to be conſidered as ſuch. But admitting, for a ſingle inſtant, every impriſoned debtor to be ever ſo *fraudulent*, even then, they ſurely ought not to be conſigned to *perpetual* impriſonment.

Again, why ſhould acts of inſolvency be thought more an evil, or leſs neceſſary, now than heretofore. Every one knows that they originated in a proclamation of Queen Elizabeth; that they were continued on the ſame footing by the two firſt princes of the Stuart race, and

aſſumed

aſſumed the form of law in the firſt Parliament which was held after the death of Charles the firſt; that after the reſtoration they became cuſtomary; that the firſt paſſed was in the reign of Charles the ſecond, and that from that period to the preſent time, no leſs than *twenty-four* Acts of inſolvency have received the legiſlative ſanction, by which it appears, that, on an average, a freſh Inſolvent Act has been paſſed every four years and a half.

But *perpetual* impriſonment for debt, beſides that it is cruel and monſtrous in itſelf, is no leſs ruinous to the creditor than the debtor. It actually *defeats* the very end it pretends to anſwer, and is equally unneceſſary and inexpedient. It is the more intolerable too, as the remedy or relief is at once obvious, clear, and

ſimple. It calls for no depth of genius, or extraordinary exertions of the human mind. Nothing more is required than to frame a PERPETUAL ACT OF INSOLVENCY, and to allow no one to take the benefit of it, until he has been a given time in priſon under execution, and delivers up the whole of his property, or diſcloſes the real ſtate of his affairs, liable to ſuffer death in caſe of fraud or perjury. Twelve months, or ſix months confinement, after being charged in execution, would ſurely make every perſon ſufficiently cautious how ge gets into debt. The laws might ſtill remain with regard to arreſts, and the fees of office, and duties on ſtamps be left entirely as they are, though both the emoluments of the law, and the public revenue, would be conſiderably benefited by the certain quick and perpetual influx and reflux

of

of priſoners, on the adoption of the meaſure propoſed; nor would this be more than what was actually meant and intended. Conſidering the law even in its utmoſt rigour, it was never ſo much as in idea, that debtors ſhould be ſent to priſon for any other purpoſe than that they might be kept in ſafe cuſtody, only until a proper and an equitable arrangement or liquidation of their debts could be made. It never could have been in contemplation, that they ſhould be kept in gaol for *ever*; and even now, if a debtor, upon being committed to the King's Bench, or Fleet priſon, was to enquire of the learned Judge who commits him, if it is *meant* that he ſhould be impriſoned for life? no one can poſſibly doubt but that he would ſhudder at the thought; and yet, by being committed *until* he pays a ſum of money, which he neither has,

nor

nor ever will be able to get, the commitment inevitably operates in the nature of *imprisonment for life.*

To keep thousands of his Majesty's subjects entombed, as it were, for ever in the bowels of a prison, without the least good resulting from it, either to the individual or the state, is a practice that has at length awakened the attention of the legislature, and caused it to call for the assistance of the first legal abilities to aid its benevolent design, in the formation of some salutary laws for the creditor and debtor. Nor could it be undertaken at a time more favorable to the cause of humanity, when our courts of law are filled with a set of Judges, not less distinguished for their love of justice, than the great legal knowledge they so eminently possess. We have at this

this time, a great moral character at the head of the adminiſtrative juſtice of the kingdom, who no doubt will duly weigh, not only the *cruelty* of perpetual impriſonment for debt, but alſo the many *collateral* evils that it occaſions, in putting the wife for ever aſunder from the protection of her huſband, in depriving the child of the foſtering care of its father, and in reducing thouſands of families to the loweſt ebb of poverty and diſtreſs, if not to utter ruin and deſtruction. In the Common Pleas, we have the happineſs of a Lord Chief Juſtice, of too deep and penetrating a mind not to ſee the impolicy of the practice, and poſſeſſed of too much feeling, not to aſſiſt with his great and comprehenſive powers in a due correction thereof. To mention the Lord Chief Baron of the Exchequer, is to expreſs all that is great

and

and amiable in life: every one who knows him, knows that the name of *Macdonald* is even proverbial for every quality that can poſſibly be thought an ornament to human nature. Nor, in the diſtribution of our warmeſt praiſe and admiration, is it poſſible to forget the characteriſtic meekneſs of an *Aſhburſt*, the unrivalled talents of a *Buller*, or the innate goodneſs of a *Groſe*. If we look too again into the Common Pleas, we have to congratulate ourſelves on the genuine philanthropy of a *Gould*, the nice diſcernment of a *Heath*, and the great legal abilities of a *Wilſon*; while in the Exchequer, our encomiums are no leſs raiſed by the pleaſing mildneſs of a *Hotham*, the ſtrict impartiality of a *Perryn*, and the acknowledged excellence of a *Thompſon*. From ſuch a ſplendid, and perhaps unprecedented CONSTELLATION

of

of juſtice and benevolence, the happieſt proſpect is ſurely afforded the wretched inſolvent of an effectual and ſpeedy abolition of *perpetual* impriſonment, and the now diſappointed Creditor of a judicious arrangement of the laws with reſpect to the Recovery of Debts.

And ſurely, after all, there is nothing in the caſe of an impriſoned, inſolvent Debtor, to provoke the ſeverity with which he is treated. Upon his *interment* in priſon, his neareſt and beſt connexions ſtand aloof, and infamouſly abandon him to his fate, and he becomes, all at once, wholly loſt, as it were, to the world. Mortified at the uſage he receives, and aſhamed, perhaps, of having his ſituation known, he ſinks, on a ſudden, into ſupineneſs and oblivion, and ſilently ſubmits to the vileſt reproaches

of

of every upſtart of fortune, and to that load of obloquy, from which his friends and relations have too much pride to reſcue his character: and yet, if we pauſe a moment, what is this *vaſt* difference between impriſoned Debtors, and thoſe at large? Only that the Creditors of the latter have ſenſe and humanity enough to induce them to wait for their money. Let all creditors be alike unfeeling and vindictive, and the walls of the King's Bench and the Fleet Priſons, will no longer be found to divide thoſe confined within them from the reſt of mankind.

When the *Humane* Society, in the purſuit of their benevolent deſign, have the good fortune of recovering a fellow creature from being *apparently* drowned, the Members take to themſelves no little merit on the occaſion, and receive the bleſſings

bleſſings of the object relieved, and the applauſe of the public at large; but without attempting to depreciate the value of ſo excellent an inſtitution, or the effects of its plan, it ſurely is not to be compared to a bill for the abolition of *perpetual* impriſonment for Debt, which would be the means of reſtoring near two thouſand unfortunate perſons, *apparently* DEAD, and *loſt* to the world!

Surely the very thought of ſo great and ſignal a mark of goodneſs, combined with the grateful feelings it would excite in the friends and relatives of ſuch a number of people, is enough to impel the moſt ſpeedy and lively exertions in their favour.

Let us hope, therefore, that we are approaching faſt towards the happy period,

when *perpetual* impriſonment for Debt will no longer be known amongſt us. The Lords, the Judges are called upon to aſſiſt in the great and glorious work. Their liberality is appealed to on the occaſion, and the public, no doubt, are anxious to congratulate them on an event that will form a grand and laſting *epoch* in the annals of humanity, enſure to them the bleſſings of every good and virtuous citizen, and immortalize their names to the lateſt date of revolving time.

FINIS.

INDEX.

Page.

ACCOUNT of Fees to be hung up 36
——— debtors in the different gaols in England — — 77
Actions, when they become ſuperſedeable 24
——— how to be ſuperſeded — ib.
Acts of inſolvency, hiſtory of them 88
Advice to priſoners on their coming into priſon — 39, 40, 41, 42
Appeal to the judges on impriſonment for debt 92, 93
Average expence of the priſoners' living 95
——— number of priſoners diſcharged each year — 61
——— coſts of an action — 75

B

Beef allowed to debtors 21, 22, 60, 61, 62, 64
Bread allowed to debtors 21, 22, 60, 61, 65
Borough Compter, account thereof 67, 68
Burges, Mr. character of his book 81, 82

C

Caſe, an extraordinary one of a debtor 73, 74
Chapel, one provided in the King's Bench 6
Committee of the Houſe of Commons, on its report — — 82
Common ſide priſoners, how to become ſo 20
Compter in Giltſpur-ſtreet, account thereof 63
——— the Poultry, account thereof 66
——— the Borough, account thereof, 77, 68
Coſts, average, amount of it on an action 74
Credit, inconvenience of it to priſoners 46, 47, 48
Creditor, impriſonment for debt injurious to him — — 89
Creditors, when to declare againſt the debtor 23
——— benefit afforded them by the lords' act — — 26
Crown office, the maſter of it viſits the King's Bench — 23

INDEX.

D

Debt, inſtances of its being exceeded by the groats —— — 78, 79
Debtors, in what uſed worſe than felons 84, 85, 86, 87
——— never meant to have been continued in priſon —— — 91
——— when to be declared againſt 23
——— of their accommodation in Newgate 58, 59
——— of their accommodation in the Borough Compter ——— 67, 68
——— of their accommodation in Ludgate 61, 62
——— of their accommodation in Giltſpur-ſtreet Compter ——— 63
——— of their accommodation in the Poultry Compter ——— 66
——— of their accommodation in White-chapel priſon —— 70, 71
——— how to ſue for their groats 28, 29, 30, 31, 32, 33
——— what deemed a legal payment of their groats —— — 35
——— a defence of them — 95, 96
——— number and deſcription of them in the different gaols in England — 77
——— their nature and quality 42, 43, 44
Donations to priſoners 21, 22, 60, 61, 62
——— to be entered by the clerk of the peace —— — 37

E

Entries to be made of all donations 37
Extraordinary caſe of a debtor 73, 74

F

Fees, liſt of them to be hung up — 36
—— paid at the different gaols — 7, 39, 67
—— formally paid the marſhal, for beds and bedding, &c. — — 53
Fleet Priſon, when rebuilt — 2
——— deſcription thereof — 6
——— its accommodations — 7
——— origin of the rules — 8

INDEX.

Fleet Priſon, extent of the rules — 11
——— day rules granted — ib.
——— terms of the rules, — 13
——— rules on the death of the warden to be taken again — 14
——— how priſoners ſucceed to rooms 21
Fraudulent debtor, eaſily to be diſcriminated 27

G

Giltſpur-ſtreet Compter, account thereof 63
Groats, how to be ſued for 28, 29, 30, 31, 32, 33
——— inſtances of their exceeding debt and coſts —— — 78
——— expence of ſuing for them paid by the Thatched Houſe Society — 34
——— what deemed a legal payment of them 35

H

Habeas, expence of obtaining it — 38
Hill, Mr. Deputy Marſhal, how priſoners are appointed by him to rooms 15
Houſe of Commons, report of the committee on the laws of arreſt —— 82
Humane Society, not capable of doing the good that would be produced by an act of inſolvency — — 96

I

Impriſonment for debt, not legal by any ſtatute 55
——— Mr. Burges thereon 81, 82
——— reflections thereon — 83
——— injurious to the creditor as well as debtor —— — 89
Inſolvent debtors, a defence of them 95, 96
——— in what uſed worſe than felons 84, 85, 86, 87
Inſolvent Debtor's act, capable of doing more good than the Humane Society 96

J

Judges to hear complaints of the priſoners 37
——— always incline towards debtors 38
——— appeal to them on impriſonment for debt —— — 92, 93

INDEX.

K

King's Bench prison, when rebuilt 2
——— description thereof — ib.
——— its accommodations — 4
——— origin of the rules — 8
——— present extent thereof — 9
——— day rules granted — 10
——— Terms of the rules — 12
——— rules on the death of the marshal to be taken again —— 14
——— number and account of rooms ib.
——— how prisoners are billeted to the rooms thereof —— 15
——— how to get a room therein 16
——— fees paid by the prisoners — 39
——— advice to prisoners upon coming to it — — 39, 40, 41, 42

L

London, number of writs issued every year in it —— —— 76
Lords Act, its benefit to debtor and creditor 26, 27
——— how to sue under it for the groats —— 28, 29, 30, 31, 32, 33
Ludgate prison, account thereof 61, 62

M

Marshal, rent paid him for rooms — 15
——— of his power — 16, 25, 54
——— to inform prisoners when in execution 26
Medical assistance, none rendered the prisoners 19
Middlesex, number of writs issued in it — 76

N

Necessaries, none provided for the prisoners 19
New Compter, account thereof — 63
Newgate, account thereof — 58, 59

O

Origin of the rules — — 8
Original debt, cases in which it has been exceeded by the groats — 57, 58
Outlines of a perpetual act of insolvency — 40

P

Perpetual imprisonment for debt, reflections thereon — — 82

INDEX.

Plaintiffs, when to declare againſt the defendant 23
Police of the King's Bench and the Fleet — 19
Poultry Compter, account thereof — 66
Power of the marſhal — 16, 24, 25
Priſoners, how accommodated in the King's Bench 4
——— how billeted on the rooms 15, 17, 18
——— how to get a room — 16
——— cauſe of their death enquired into by the coroner — — 20
——— how they are to get on the common ſide ib.
——— when their actions are ſuperſedeable 24
——— how they are to ſuperſede their actions 25
——— may be turned out, after being ſix months ſuperſedeable — ib.
——— to be informed when in execution 26
——— relief given them by the Lords act 27
——— how to ſue for groats 28, 29, 30, 31, 32, 33
——— may ſend out for victuals, beer, &c. 39
——— their complaints to be heard by the judges — — — 37
——— number cleared every year by the Thatched Houſe Society — 38
——— advice to them on their coming into priſon — 39, 40, 41, 42
——— deſcription of them — 42, 43, 44
——— how employed — 44, 46
——— ſhould avoid having credit — 46, 47
——— in what caſes diſpoſſeſſed of their rooms 51
——— how to make themſelves reſpected 55
——— diſcharged by the Thatched Houſe Society — — 56, 57.
——— of their removal from the Bench to the Fleet — 68, 69, 70
——— number died in the different gaols, ſince the year 1780 — 72
——— number and deſcription of thoſe in the different gaols in England — 77

R

Reflections on impriſonment for debt — 83
Rooms, of thoſe in the King's Bench — 14
——— rent paid for them to the marſhal — 15
——— how priſoners are billeted on them 15, 17, 18
——— in what caſes priſoners loſe them 16, 51

INDEX.

Rooms, how a priſoner may get one — 16, 51
——— how priſoners ſucceed to them in the Fleet — — 21, 22, 23
——— money paid for the hire of one — 22
Rules, origin of them — — 8
——— Extent of thoſe of the King's Bench — 9
——— of thoſe granted in term — ib.
——— extent of thoſe of the Fleet — 11
——— of thoſe granted in term — ib.
——— terms on which they are granted — 12
——— caution to be uſed in taking them — 13

S

Spirits, the uſe of them prohibited — 49
Strong room, perſons committed to it — 51
Superſedeas, how to be procured — 24, 25

T

Templar, Mr. viſits the King's Bench — 23
Terms on which the rules are granted — 13
Thatched Houſe Society, the relief it affords 33, 34
——— Number of priſoners cleared by it every year — — 38
——— total number of debtors cleared by it 56
——— remarkable inſtances produced by it 79, 80

U

Unfortunate debtor, eaſily diſcriminated from the fraudulent — 87, 88
Uſe of ſpirituous liquors prohibited — 49

V

Vindication of inſolvent debtors — 95, 96

W

Warden, rent paid him for rooms — 23
——— of his power — 25, 54
——— to inform priſoners when in execution 26
Weſtminſter, the courts there to hear complaints every Michaelmas term — 36
Whitechapel Priſon, account thereof 70, 71
Whiſtling ſhops, what is meant by them — 51
Wood-ſtreet Compter, account thereof — 63
Women and children, not permitted to reſide within the walls — 19
Writs, number iſſued every year in London and Middleſex — — 67